

★★★ <知的財産翻訳検定【第4回<和文英訳>試験】>答案用紙 ★★★

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科目： 共 通
氏名： 北浦 隆幸

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< 共通問題解答 >

The most important purpose of the patent system is to encourage inventions by promoting protection and use of the inventions to further growth of industries. The patent system promotes protection of the inventions by granting an exclusive right, or a patent right, for a certain period of time when certain requirements are met, to a person who develops and discloses a new technology. The patent system also provides an opportunity for the public to know the invention by disclosing details of the invention.

The protection and the use of the inventions are implemented through patent specifications and drawings that function as technical documents that disclose technical details of the inventions and also as legal documents that precisely define technical scopes of the patented inventions. In this regard, in Japan, the patent law defines an adequate description requirement for the section entitled "THE DETAILED DESCRIPTIONS OF THE INVENTION" in the specification.

Correspondingly, in the United States, the specifications are required by law to contain a written description of the invention and of the manner and process of making the invention in full, clear, concise, and exact terms to enable so-called a person skilled in the art to use the invention. The specifications are also required to disclose what the inventor believes to be the best embodiment, or the best mode, of the invention for a person skilled in the art to make the invention. The best mode requirement in particular is a provision unique to the United States patent law. This best mode requirement is provided to prevent attempts by people to obtain patent protection without making the full disclosure required by law. This requirement disallows the inventors to disclose the embodiments that the inventors themselves admit are next best while keeping the best embodiments to themselves.